

**BROKEN ARROW CITY COUNCIL  
AGENDA  
COUNCIL CHAMBERS  
220 SOUTH FIRST STREET  
BROKEN ARROW, OKLAHOMA 74012**

**January 6, 2009**

**6:30 PM**

- 1. Call to Order**
- 2. Invocation**
- 3. Roll Call**
- 4. Pledge of Allegiance to the Flag**
- 5. Consideration of Consent Agenda**
  - A. Approval of the regular meeting minutes of December 2, 2008
  - B. Approval of the regular meeting minutes of December 16, 2008
  - C. Acceptance of minutes of the Planning Commission meeting held December 4, 2008
  - D. Acceptance of an Agreement to Donate Real Estate from PSO (S24 T18N R14E) (Project #: ST0528)
  - E. Approval of Assignment and Assumption of Golf Course Professional Management Services Agreement and Amendment to the City of Broken Arrow Golf Course Professional Management Services Agreement
  - F. Approval of Resolution No. 562, a resolution of necessity to condemn property located at the northeast corner of Washington (91st Street) and Olive (129th East Avenue) Tulsa County, Oklahoma (Olive Street Widening - Houston to Washington Project)
  - G. Approval of BAZ 1820, Ramirez, 1.25 acres, 1 lot, A-RMH to RMH, one-third mile east of the southeast corner of 37th Street (209th East Avenue) and Dearborn Street (41st Street) at 21380 East 41st Street
  - H. Approval of bids received and award of the most advantageous bid to BMW Motorcycles of OK for one police motorcycle
  - I. Acceptance of a Special Warranty Deed of Gift from PSO (S24 T18N R14E) (Project #: STO528)
  - J. Approval of the Claims List
- 6. Consideration of Items Removed from Consent Agenda**
- 7. Public Hearings, Appeals, Presentations, Recognitions, Awards and Oaths**
  - A. Appeal: Consideration and possible action concerning staff's denial of Broken Arrow Medical Facilities, LLC request to deviate from the approved addressing system regarding two street name changes in Stone Ridge Towne Center

- B. Presentation: Approval and presentation of a proclamation declaring January 13, 2009 as "Gatesway 45th Anniversary" day in the City of Broken Arrow
- 8. **Citizens' Opportunity to Address the Council on General Topics Related to City Business or Services (approximately 7:00 p.m.)**
- 9. **General Council Business**
  - A. Consideration and appointment of two representatives to the Indian Nations Council of Governments (INCOG) Board of Directors, each for a two-year term, beginning January 1, 2009
  - B. Consideration and appointment of a representatives to the Vision 2025 Sales Tax Oversight Committee, for a three-year term, beginning January 1, 2009
  - C. Consideration and possible approval of Resolution No. 563, a resolution of the Broken Arrow City Council providing notice of and calling for a non-partisan general election, if needed, for its officers to be held on Tuesday, April 7, 2009
- 10. **City Manager's Report**
  - A. Abatement information for Nick Hood's property located at the southwest corner of North Main Street and East Kenosha Street (a.k.a. 105 W Kenosha Street)
  - B. Additional funding for the Hotel-Conference Center
  - C. Connect CTY System
  - D. CVS Caremark drug card program
  - E. HVAC and electrical service contractors quotes for calendar year 2009
  - F. Presentation of the Interest Arbitration Decision between the City and the International Association of Fire Fighters Local No. 2551
- 11. **Preview Ordinances**
  - A. An ordinance amending Chapter 24, Water, Sewers and Sewage Disposal, Article VI, Water Service Charges and Rates, Section 24-608 Water Rates Established and Section 24-609 Special Contract Rates Established of the Broken Arrow Code, Repealing all Ordinances to the contrary, and declaring an emergency
- 12. **Ordinances**
  - A. Ordinance No. 3001 - An ordinance amending the Broken Arrow Code Chapter 6, Building and Building regulations; repealing all ordinances to the contrary; and declaring an emergency
  - B. Ordinance No. 3002 - An ordinance amending Chapter 16, Article I, Section 16-4 of the Broken Arrow Code pertaining to carrying weapons; repealing all ordinances to the contrary; and declaring an emergency
  - C. Ordinance No. 3003 - An ordinance creating Chapter 16, Article I, Section 16-22 of the Broken Arrow Code pertaining to transporting a firearm improperly; repealing all ordinances to the contrary; and declaring an emergency

- D. Ordinance No. 3004 - An ordinance creating Chapter 23, Article I, Section 23-33 of the Broken Arrow Code pertaining to unattended children or vulnerable adults left in vehicles punishment; repealing all ordinances to the contrary; and declaring an emergency
- E. Ordinance No. 3005 - An ordinance creating Chapter 23, Article I, Section 23-34 of the Broken Arrow Code pertaining to endangerment of a highway worker; repealing all ordinances to the contrary; and declaring an emergency
- F. Ordinance No. 3006 - An ordinance amending Chapter 23, Article II, Section 23-67.1 of the Broken Arrow Code pertaining to driver of a motor vehicle approaching a stationary authorized emergency vehicle, wrecker or tow vehicle; repealing all ordinances to the contrary; and declaring an emergency
- G. Ordinance No. 3007 - An ordinance amending Chapter 23, Article II, Section 23-92 of the Broken Arrow Code pertaining to operating a motor vehicle while impaired by alcohol or other substances prohibited; repealing all ordinances to the contrary; and declaring an emergency
- H. Ordinance No. 3008 - An ordinance amending Chapter 23, Article II, Section 23-93 of the Broken Arrow Code pertaining to persons under age 21 driving under the influence of alcohol or other intoxicating substances; repealing all ordinances to the contrary; and declaring an emergency

**13. Remarks and Inquiries by Governing Body Members**

- 14. Executive Session** for the purpose of confidential communications between the City Council, the City Manager, the Assistant City Manager and the City Attorney for the purpose of conferring on the possible purchase and appraisal of 80-acres located north of 101st and east of the Creek Turnpike under 25 O.S. § 307(B)(3); and litigation concerning City of Broken Arrow v. Michael and Stephanie Mueller, et al., Tulsa County District Court Case Number CJ-2008-3178, City of Broken Arrow v. Stacy L. Heller, a single person, Tulsa County District Court Case Number: CJ-2008-07893 and City of Broken Arrow v. Ray H. Wilburn, Tulsa County District Court Case Number CJ-2006-5913, all under 25 O.S. § 307(B)(4). In the opinion of the City Attorney, the Council is advised that disclosure will seriously impair the ability of the public body to process the pending litigation in the public interest. After the conclusion of the confidential portion of executive session, the Council will reconvene in open meeting, and the final decision, if any, will be put to a vote

**15. Adjournment**

**NOTICE:**

All cell phones and pagers must be turned OFF or operated SILENTLY during Council meetings.

Exhibits, petitions, pictures, etc., presented to the authority shall be received and deposited in case files to be kept at the Broken Arrow City Hall.

If you are a person with a disability and need some accommodation in order to participate in this meeting, please contact the City Clerk at 918-259-2400 Ext. 5418 to make arrangements.

POSTED this \_\_\_\_ day of \_\_\_\_\_, 2009, at \_\_\_\_\_ a.m./p.m.

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City Clerk